



LAW OFFICE OF  
**YURIY MOSHES, P.C.**

322 West 48<sup>th</sup> Street, 6<sup>th</sup> FL  
New York, NY 10036

*Please reply to our NEW YORK CITY office*

111 Northfield Ave, Suite 208A  
West Orange, NJ 07052

517 Brighton Beach Ave., 2<sup>nd</sup> Floor  
Brooklyn, NY 11235

**Tel. (888) 445-0234 Fax: (646) 843-7570**

September 7, 2023

**Via ECF**

Honorable United States Magistrate Judge Barbara Moses  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: **Altamirano v. 535 West 163<sup>rd</sup> HDFC., et al.**  
**22CV 03459 (JLR-BCM )**

Dear United States Magistrate Judge Moses:

I represent the Plaintiff, Manolito Altamirano, in the above-referenced matter. By Order dated July 25, 2023, the Court directed: “Any renewed settlement approval motion shall be filed within 30 days of today’s date....” The Court granted an extension until September 7, 2023, to submit any renewed motion to approve the settlement. The parties now submit this renewed request for approval of a Revised Settlement Agreement.

The parties have agreed to a Revised Settlement Agreement which is being filed simultaneously with this letter. That Revised Settlement Agreement limits the “Mutual Non-Disparagement” clause to “willful and untruthful” disparagement. As a result, truthful statements as to the settlement are permitted. The Revised Settlement Agreement eliminates the “no re-hire” clause and only states that future employment is not guaranteed. We hope that these changes meet with your approval. (The Revised Settlement Agreement has been executed by the Defendant and the Plaintiff’s counsel is awaiting the signed copy from the Plaintiff, which should be received very shortly.)

The Plaintiff is also filing with this letter an invoice with contemporaneous time records and documentation of expenses. Plaintiff’s counsel hopes that these records are acceptable to Her Honor.

The parties incorporate herein by reference as though fully set forth their original joint letter seeking approval of the first Settlement Agreement. The parties note that the newly calculated amounts for disbursements are Twenty-Six Dollars and Fifty-Six Cents (**\$25,825.56**) to

Plaintiff and Fourteen Thousand One Hundred Seventy-Three Dollars And Forty-Four Cents (\$14,173.44) for attorney fees and costs.

Based on the foregoing, the Plaintiff respectfully requests that the Court approve the Revised Settlement Agreement.

Thank you for your consideration of this request.

**MOSHES LAW P.C.**

By: /s/ Gennady Litvin  
Gennady Litvin, Esq.  
*Attorney for Plaintiff*  
517 Brighton Beach Ave., 2<sup>nd</sup> Floor  
Brooklyn, New York 11235  
(718) 504-6090  
[glitvin@mosheslaw.com](mailto:glitvin@mosheslaw.com)